

## Official Proceedings

April 3, 2018  
8:00 am

Chairman Elkin called the meeting of the Stark County Board of Commissioners to order.  
All members present.

### Agenda

Chairman Elkin asked for any additions or deletions to the agenda. Zoning and water crossing were added.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Franchuk

To approve the agenda as presented with the additions.

**DISPOSITION:** Motion carried

### Minutes

The minutes of the March 9<sup>th</sup>, 2018 Board of County Commissioners meeting were presented.

**MOTION BY:** Commissioner Kuntz      **SECOND BY:** Commissioner Hoff

To approve the minutes of the March 9<sup>th</sup>, 2018 Board of County Commission minutes as presented.

**DISPOSITION:** Motion carried

### Accounts Payable

**MOTION BY:** Commissioner Hoff      **SECOND BY:** Commissioner Zander

To approve the accounts payable with the supplement as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

Two TMI proposals were presented regarding work for the State's Attorney's office.

**MOTION BY:** Commissioner Hoff      **SECOND BY:** Commissioner Zander

To accept the TMI proposal dated March 29<sup>th</sup>, 2018 in the amount of \$4,220.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

A JLG invoice was presented for the social services pre-design project.

**MOTION BY:** Commissioner Hoff      **SECOND BY:** Commissioner Franchuk

To pay the presented JLG invoice in the amount of \$5,512 out of the capital improvements fund.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

**General:** \$707,835.34;

**10 Mil:** \$160,561.11;

**County Road:** \$113,667.19;

**Highway Tax Distribution:** \$145,040.21;

**Social Welfare:** \$287,032.22;

**Capital Improvement:** \$77,737.40;

**County Jail:** \$129,874.55;

**VSO Fund:** \$11,413.16;

**County Agent:** \$26,357.83;

**Weed Control:** \$18,533.42;

**9-1-1:** \$36,603.21;

**Adult Education:** \$27.91;

**Fingerprint Station:** \$8,883.00;

**Security Reimb:** \$88.80;

**SW Victim Witness Program:** \$8,540.14;

**State Reimbursements:** \$75.00;

**Siren Contingency:** \$338.00;

**24/7 Fund:** \$11,665.27;

**Other Reimbursements:** \$5,315.73;

**BCI-Asset Forfeiture:** \$10,497.26;

**Judgment Execution:** \$11,901.77;

**BCI-Task Force:** \$5.50;

**911 Equipment:** \$3,122.72;

**Sheriff Oestreich**

Sheriff Oestreich provided his monthly report which included the following:

- 128 criminal papers were received and 115 were served;
- The arrest tally included 4 accidents, 61 stops, 29 citations, and 7 warnings;
- The Sheriff Sales and foreclosures received 3 executions, 0 Sheriff Sales, and revenue of \$220.00;
- 126 civil papers were received and 92 were served;

- Transports included 2 for other counties, 19 criminal, 11 daily court, 2 medical, 5 mental health, and 9 juveniles;
- The truck reg. program had a total of \$12,482.91 in permits;
- The 24/7 program had a total of \$208.00 in revenue.

In addition the Commission and Sheriff thanked the deputies for their work in patrolling county roads.

### **Road Superintendent - Al Heiser**

Mr. Heiser presented his monthly report to include work on a county line road project with Dunn County which includes 3.1 miles of road that was never upgraded. A low water crossing on 106<sup>th</sup> Ave SW was also discussed as there is damage to the road and needs to be repaired.

### **County Engineer – Justin Hyndman**

Mr. Hyndman provided the following monthly report:

- Green River Bridge Structure 45-123-3.0 Replacement – Swingen, 2018 Construction;
- 47<sup>th</sup> Street SW Structure 129-19.0 and 130-19.0 Replacement and 104<sup>th</sup> Ave SW Structure 128-25.0 Replacement – Shep’s Welding, 2018 Construction;
- 35<sup>th</sup> Street SW Green River Bridge Low Water Crossing – Bid April 4, 2018, 2018 Construction;
- 47<sup>th</sup> Street SW Structure 142-20.0 and 142-20.1 Replacement – Bid May 1, 2018, 2018 Construction;
- 119<sup>th</sup> Ave SW Structure 45-113-20.0 Replacement – Bid Nov. 9, 2018 thru the NDDOT, 2019 Construction;
- CMC4537 Structure 45-138-21 Replacement – Bid Nov. 13, 2020 thru the NDDOT, 2021 Construction;
- 112<sup>th</sup> Ave SW (30<sup>th</sup> to 32<sup>nd</sup>) – KLJ will complete wetland monitoring. Submitted 2016 and 2017.

### **Burn Ban – Bill**

Mr. Fahlsing presented the 2018 fire emergency declaration and burn ban proclamation. No changes have been made since 2017.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Kuntz

To authorize the chairman’s signature on the fire emergency declaration and burn ban proclamation as presented.

**DISPOSITION:** Motion carried

### **Zoning**

RZ 01-18 – Andeavor Logistics, LP is requesting a rezoning from Agriculture to Industrial on a property located in the NW ¼ of Section 17, Township 139, Range 99 containing approximately 31.75 acres. Planning and Zoning along with staff recommend approval.

**MOTION BY:** Commissioner Hoff      **SECOND BY:** Commissioner Zander

To approve the rezoning request as submitted.

**DISPOSITION:** Motion carried

CUP 01-18 – Andeavor Logistics, LP is requesting a conditional use permit for a gas plant and associated uses to be located on a property located in the NW ¼ of Section 17, Township 139, Range 99 containing approximately 54.8 acres. Planning and Zoning along with staff recommend approval subject to conditions.

**MOTION BY:** Commissioner Hoff                      **SECOND BY:** Commissioner Zander

To approve the conditional use permit as presented with conditions.

**DISPOSITION:** Motion carried

MSP 01-18 – Andeavor Logistics, LP is requesting a minor subdivision plat of the Andeavor Subdivision located on a property in the NW ¼ of Section 17, Township 139, Range 99 containing approximately 66.72 acres. Planning and Zoning along with staff recommend approval.

**MOTION BY:** Commissioner Hoff                      **SECOND BY:** Commissioner Zander

To approve the minor subdivision plat as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

### **Open House Dedication**

Commissioner Zander would like an open house and dedication of the courthouse addition open to the public. Prior county commissioners should be invited to show appreciation. Once a date has been decided upon a public notice will be given.

### **Scully**

Mr. Cockeram provided an update to the expansion project to include the addition of fire alarms in the basement and 2<sup>nd</sup> floor courtroom, the 2<sup>nd</sup> floor tie-in is almost complete, and updates to the 1<sup>st</sup> floor lobby remodel were provided.

The following change orders were presented.

Change order 15 in the amount of \$5,891.86.

**MOTION BY:** Commissioner Zander                      **SECOND BY:** Commissioner Kuntz

To authorize the Chairman's signature of change order 15 in the amount of \$5,891.86 to be taken out of owner contingency.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

Change order 16 in the amount of \$162,403.96.

**MOTION BY:** Commissioner Kuntz                      **SECOND BY:** Commissioner Zander

To authorize the Chairman's signature of change order 16 in the amount of \$162,403.96 to be taken out of capital improvements.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

### **Abatement Hearing – Western Properties LLC**

Joe Hirschfeld with the City of Dickinson presented an abatement request for Western Properties LLC located at 346 1<sup>st</sup> St SW. The City of Dickinson made no change. Chairman Elkin opened the public hearing and there was no comment. Chairman Elkin closed the public hearing.

**MOTION BY:** Commissioner Hoff                      **SECOND BY:** Commissioner Zander

To accept the City of Dickinson's recommendation and deny the abatement request.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

**Hawks Point – Edgewood**

Carrie Zimmerman, Executive Director and Cindie Tedford, Marketing Director presented information on Edgewood Hawks Point. An overview was provided on facility services including transportation, daily activities, enrichment activities, and dining services.

**County Extension – Kurt Froelich**

Jim Grey, NDSU Extension Western Director provided an update to the extension services. The current base policy states that half of the local employee's salary will be paid by the county with the state providing full benefits. An updated draft policy was presented with the county paying 40% of the total compensation and continuance of 100% of operating costs. The Commission advised Mr. Grey to proceed with the Family Wellness position.

**Ryan Jilek – Stark Development Update**

Mr. Jilek provided the 2017 annual Stark Development report along with programs offered. A copy of the report will be kept on file.

**CBP-0045 (17)03-35<sup>th</sup> St SW Green River Low Water Crossing**

The following bids were received for the 35<sup>th</sup> St SW Green River Low Water Crossing project:

- Baranko Bros, Inc. - \$313,615.37
- Edward H Schwartz Construction, Inc. - \$349,237.92
- Martin Construction - \$312,185.00
- Shep's Welding & Construction - \$423,420.64
- Wilson Construction, Inc. - \$374,989.00

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Kuntz

To award apparent low bidder to Martin Construction in the amount of \$312,185.00 and authorize the Chairman's signature pending the engineer's review.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

**JLG Architects – Isaac Karley**

Mr. Karley presented the Social Services building project pre-design. Commissioners Hoff and Zander were appointed to the Social Service's building committee.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Hoff

To accept the Social Service's building pre-design as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

**Park Board**

The Park Board approved a \$15,000 donation to the Best Friends Mentoring Program and is asking the county commission to approve the funding.

**MOTION BY:** Commissioner Hoff      **SECOND BY:** Commissioner Franchuk

To authorize \$15,000 to the Best Friends Mentoring Program as approved by the Park Board.

**DISPOSITION:** Roll call vote. Commissioner Hoff, aye. Commissioner Franchuk, aye. Commissioner Kuntz, aye. Commissioner Zander, nay. Chairman Elkin, aye. Motion carried

**Kris Fehr**

Ms. Fehr introduced a former mentor with the Best Friends Mentoring program and provided an overview of the program. Ms. Fehr is requesting \$15,000 from the county for 2018 services.

**MOTION BY:** Commissioner Hoff

**SECOND BY:** Commissioner Zander

To approve \$10,000 to the Best Friends Mentoring program out of the general fund.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

The following Miscellaneous Receipts were filed: General: \$309,778.04; 10 Mill: \$24,477.41; County Road: \$141,916.16; Highway Distribution: \$247,527.14; Special Road & Bridge: \$7,354.04; Social Services: \$9,960.95; Capital Improvement: \$157,544.75; County Jail: \$18,673.49; Emergency Fund: \$2,451.35; Veterans Service Officer: \$16,244.43; County Agent: \$5,695.77; Weed Control: \$4,253.81; E-911 Funds: \$27,138.14; Adult Education: \$155.00; Fingerprint Station: \$365.00; Estimated Tax Revenue: \$1,315.00; Victim Witness: \$19,228.98; Preservation Fee: \$1,107.00; State Reimbursements: \$250.00; Siren Contingency: \$72.48; 24/7 Fund: \$8,234.00; Other Reimbursements: \$4,450.46; Judgment Execution: \$11,901.77; BCI Task Force: \$40,928.78; 911 Equipment: \$5,371.72;

**MOTION BY:** Commissioner Zander

**SECOND BY:** Commissioner Kuntz

To adjourn the meeting.

**DISPOSITION:** Motion carried